

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KATHY LAU, *Administrator of the Estate of Jonathan Lau,*  
Plaintiff, : CIVIL ACTION  
v. : No. 24-cv-6352  
CITY OF PHILADELPHIA, *et. al.,*  
Defendants. :

**ORDER**

AND NOW, this 8<sup>th</sup> day of July, 2025, upon consideration of Defendants' Motion to Dismiss (ECF No. 12), and all responses thereto (ECF No. 19 & 20), it is hereby **ORDERED** that said Motion is **GRANTED in PART** and **DENIED in PART** as follows:

1. COUNT I, COUNT VI, and COUNT VII against Officer Peterson, Detective McClain, Officer Avery, Corporal Graham, Corporal Alston, Corporal Holman, Corporal Wilkins, Corporal Cason, Officer Henderson, Officer Tomko and Sergeant Onge is **DISMISSED WITHOUT PREJUDICE, WITH LEAVE TO AMEND;**
2. COUNT I and COUNT II against City of Philadelphia is **DISMISSED WITH PREJUDICE;**
3. COUNT III against City of Philadelphia is **DISMISSED WITHOUT PREJUDICE, WITH LEAVE TO AMEND;** and
4. the Motion is **DENIED**, with respect to COUNT I, COUNT VI, and COUNT VII against Officer Wilson.

**IT IS SO ORDERED.**

BY THE COURT:

/s/ John Milton Younge  
**Judge John Milton Younge**